

Senate Rejects Gravel's Bid To Air Secret Viet Report

By Spencer Rich

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A bid by Sen. Mike Gravel (D-Alaska) to place a secret 1969 report on Vietnam in the Congressional Record failed to win Senate approval in a four-hour locked-door debate yesterday, but the issue may be debated again in a few days.

The rare closed session—the first since a debate on Laos last June 7—was requested by Gravel last week. Gravel said he would ask the Senate to allow him to make the 1969 report available to the public by placing it in the public record. The report, prepared under the direction of presidential aide Henry A. Kissinger, is still classified, but Gravel obtained a copy privately.

The "Kissinger Papers," as the document has been called, described the military and political situation in Vietnam—as a way of laying out options for the new Nixon administration.

Gravel contends they show that bombing cannot defeat North Vietnam. Copies of the papers were obtained privately by The Washington Post, Newsweek, Jack Anderson and other reporters. Large excerpts as well as stories based on the 1969 report have appeared in many publications over the past weeks.

Yesterday's debate was conducted under the strictest injunctions of secrecy, and senators emerging from the four-hour and eight-minute meeting cited Senate rule 36, which calls for a senator to be expelled from the Senate if he reveals what went on in a closed-door session.

However, several senators who were present said privately that Gravel had been unable to obtain a final vote on his request to publish the papers in the Congressional Record.

Instead, they said, there were two procedural votes after Gravel held the floor at length to expound the theory that the Senate has the right to "declassify" a document that has been classified as "secret" by the executive branch.

They said Gravel had sought to put the issue in the wider context of whether the executive branch has the right to

impose an injunction of secrecy on a co-equal branch of government.

The closed session began at 3:44 p.m. and ended at 7:52 p.m. In the first vote, which occurred at 5:58, the Senate rejected, 36 to 32, a move to go back into open session. At 6:45, it voted a second time, turning down, 39 to 30, a motion by Sen. Russell B. Long (D-La.) to adjourn for the night.

Citing the secrecy rule, Long refused to tell reporters why he had moved to adjourn. One Senator said he interpreted it as a move to put aside the whole issue and, in effect, turn down Gravel's request without actually ever voting on it; another, simply because of the late hour.

Senators said they left the as a move to put off debate until a later day simply because of the definite impression that the issue would be taken up again in closed session, perhaps Thursday. Acting Majority Leader Robert C. Byrd (D-W.Va.) assured reporters there would be no secret session today, but declined to discuss the possibility of such a session later this week.

While debating the Gravel request, the Senate marked time on the State Department-USA authorization bill, with its Dec. 31 fund cutoff on all U.S. combat operations in Vietnam, including air.

Senate Armed Services Committee Chairman John Stennis (D-Miss.) has offered a

motion to strike out the end-of-the-war language. Administration supporters, believing they have the votes to pass the Stennis move, would like a vote on it this week. Acting Minority Leader Robert P. Griffin (R-Mich.) said yesterday, "we'll be ready to vote this week."

However, the Senate Democratic Caucus is meeting to discuss end-of-war language today, and Sens. Frank Church (D-Idaho) and Clifford P. Case (R-N.J.) apparently want to delay the vote until next week, when Senate Majority Leader Mike Mansfield (D-Mont.)—a supporter of the cutoff—returns from China. They apparently also want delay because they believe the current military crisis in Vietnam would reduce their votes because of a "rally-round-the-commander-in-chief" mood in times of crisis.

Train Derails

HAVRE DE GRACE, Md. (AP)—Railroad wrecking crews worked through the night and had a 23-car freight train derailment cleared yesterday on the Baltimore and Ohio's main line through Harford County.

The derailment Monday sent four cars down a 50-foot embankment from a northbound freight just south of the Susquehanna River.

Attempt to Bilk Editor On Hijack Story Charged

SEATTLE, Wash., May 2 (UPI)—Two men were arrested by FBI agents today on charges of trying to bilk a magazine editor by selling him a fake interview with parachuting skyjacker "D. B. Cooper" for \$30,000.

William J. Lewis, 33, of Seattle, Wash., and Donald A. Murphy, 48, of Bremerton, Wash., were charged with conspiracy to defraud Karl P.

Fleming, a former contributing editor of Newsweek magazine.

The suspects were arraigned before U.S. Magistrate Charles Scheaf, who set bail at \$50,000 for Lewis and \$20,000 for Murphy. Both men were described as real estate developers.

The charges told Lewis, using the name "Seth Thomas," responded to newspaper advertisements placed by Fleming, who said he wanted to contact "Cooper" for a confidential interview.

"D. B. Cooper" was the name given by a man who hijacked a Northwest Airlines jetliner last Thanksgiving eve and extorted \$200,000 in marked currency (more than

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